

SUPPLEMENTAL DECLARATION - SUBMITTED/TRAVERSED

As previously made in this application, Items 1 and 2 on page 2 of the Action again indicate that a Supplemental Reissue Oath or Declaration is required. The improper requirement in the present Action does not identify any claims being rejected as based on a defective Declaration, and again, no proper grounds are given for the requirement and no identification of any alleged specific error that is not covered in the original Reissue Declaration is made. As always done previously, Applicant again respectfully traverses the requirement for a Supplemental Reissue Declaration because, as Applicant has always previously proven and as has never been challenged or even addressed in any of the Office Communications, **no proper grounds exist** for imposition of such a requirement.

However, in order to travel a path of least resistance to gain allowance of the present application at last, and to overcome the improper delays and retractions by the Office, Applicant submits herewith, **under protest of improper examination**, an executed Supplemental Reissue Declaration to satisfy the requirement for same.

The above statements and the filing of any Supplemental Reissue Declaration should not be taken as an indication or admission that any of the rejections were ever valid, but is merely use of a procedural approach to obviate the rejection.

RESERVATION OF RIGHTS

It is respectfully submitted that any and all claim amendments and/or cancellations submitted within this paper and throughout prosecution of the present

application are without prejudice or disclaimer of any scope or subject matter.

Further, Applicant respectfully reserves all rights to file subsequent related application(s) (including reissue applications) directed to any/all previously claimed limitations/features which have been subsequently amended or cancelled, or to any/all limitations/features not yet claimed, *i.e.*, Applicant continues (indefinitely) to maintain no intention or desire to dedicate or surrender any limitations/features of subject matter of the present application to the public.

CONCLUSION

This Response is being submitted within the shortened statutory period for response set by the *ex parte* Quayle Office Action dated 9 September 2004, and therefore, no Petition or fee is required for entry of this paper. To whatever other extent is actually required, Applicant petitions for an extension of time under 37 CFR §1.136. Please charge any proper shortage in fees to ATS&K Deposit Account No. 01-2135 (as Order No. 501.32049RV1).

Respectfully submitted,



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Attachment:
Supplemental Reissue Declaration